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RUEHHK/AMCONSUL HONG KONG 6517
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SUBJECT: LEGISLATIVE YUAN WILL CONSIDER RECALL DURING
SPECIAL SESSION

REF: TAIPEI 1627

1. (U) The Legislative Yuan (LY) voted, during a June 12 informal meeting, to convene an extraordinary session from June 13-30. The LY also approved an agenda proposed by the KMT and PFP to discuss fourteen bills during the session. The first bill is a proposal to recall President Chen, jointly prepared by KMT Policy Director Tseng Yung-chuan and PFP LY caucus convener Lu Hsueh-chang.

2. (U) The recall bill has already been endorsed by the required one-quarter of the LY, and was approved for inclusion on the LY agenda by the Pan Blue dominated LY procedural committee the morning of June 12. The KMT plans to present the recall bill to the full LY on June 13. According to Article 44 of the LY Functions Law, which governs the recall procedure, the LY has fifteen days from the date a recall bill is introduced to the full LY to consider the recall proposal before a vote is required. If all goes according to the KMT plan, an up-or-down vote will be required no later than June 27.

3. (U) Article 44 requires the LY to notify President Chen of the recall motion and to request that he submit a written defense within seven days of the notice. The LY is required to provide each LY member with a copy of the written defense. If Chen chooses not to submit a written defense, the LY may complete its deliberation without one, and vote. The recall motion must be approved by two-thirds of the entire LY. This would require at least 25 DPP legislators to vote against Chen, a virtual impossibility. In the highly unlikely event the LY approves the recall bill, the decision to recall the president would then be posed to the voters in an island-wide referendum. More than fifty percent of Taiwan's eligible voters would have to participate in the referendum for it to be valid. If that threshold is not met, the recall referendum would fail. Assuming turnout met the "threshold" requirement, the recall would pass if it won a simple majority.

4. (U) KMT whip Pan Wei-kang has announced publicly that the KMT intends to demand official documents and to question witnesses during the fifteen-day deliberation period. PFP Chairman James Soong has publicly called on New Tide-affiliated DPP legislators to support the recall against Chen. Soong publicly stated that the PFP will publicize the names of those legislators who vote against the recall, and

urge voters to recall them. DPP legislators have told AIT they expect to see debates in the LY on June 23 and 26, before the final vote on June 27. Pan-Green forces have promised to host a rally on June 17 to protest the recall movement. KMT and PFP supporters have similarly vowed to demonstrate in favor of the recall on June 16 and 17.

15. (U) During the fifteen-day deliberation period, the LY will also be able to address other, less controversial legislative matters. The thirteen other bills slated to be discussed during the extraordinary session include a proposed NT\$80 billion flood control program, improvements to the Shihmen Dam project, and budgets for state-run companies and national development projects. The LY is also expected to again consider controversial amendments to the Act Governing Relations Between Peoples of the Taiwan Area and the Mainland Area (see reftel), a proposal redrawing LY electoral districts in advance of the 2007 LY election, changes to the Central Election Commission organic law, and revisions to the LY Functions law. Defense spending is not part of the approved agenda. The DPP version of the agenda, which included a special arms procurement budget bill, was rejected by the LY.

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